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June 30, 2004

Ms. Deborah Taylor Tate, Chairman
TENNESSEE REGULATORY AUTHORITY
460 James Robertson Parkway
Nashville, Tennessee 37243

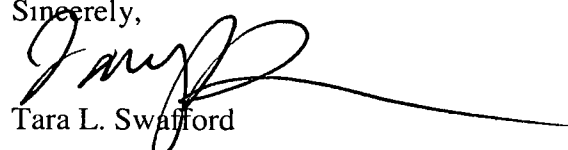
***Re: Tennessee Coalition of Rural Incumbent Telephone Companies and
Cooperatives Request for Suspension of Wireline to Wireless Number
Portability Obligations Pursuant to Section 251(f)(2) of the
Communications Act of 1934, as Amended
Docket No. 03-00633***

Dear Chairman Tate.

On behalf of the Tennessee Coalition of Rural Incumbent Telephone Companies and Cooperatives, we are submitting the original and thirteen copies of the enclosed two documents for the review of the Directors: (1) a letter from FCC Chairman Michael K. Powell to the Honorable Stan Wise, President of the National Association of Regulatory Utility Commissioners, dated June 18, 2004 urging flexibility in evaluating pending waiver requests by small LECs under Section 251(f)(2) and (2) a media advisory from the National Telecommunications Cooperative Association and the Organization for the Promotion and Advancement of Small Telecommunications Companies dated June 22, 2004 regarding Chairman Powell's letter.

If you have any questions or need additional information, please let me know. Thank you for your consideration.

Sincerely,


Tara L. Swafford

TLS:bb
Enclosures

Ms. Deborah Taylor Tate, Chairman

June 30, 2004

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cc: R. Dale Grimes, Esq. (w/enc.)
Timothy C. Phillips, Esq. (w/enc.)
Edward Phillips, Esq. (w/enc)
Melvin J. Malone, Esq. (w/enc.)
Thomas Moorman, Esq. (w/enc.)



CHAIRMAN

Federal Communications Commission

Washington, D.C

June 18, 2004

The Honorable Stan Wise
President, National Association of Regulatory Utility Commissioners
Commissioner, Georgia Public Service Commission
225 Washington Street, S.W
Atlanta, GA 30334

Dear President Wise

I am writing you, as the president of the National Association of Regulatory Utility Commissioners and representative of NARUC's member commissioners, in connection with requests that small local exchange carriers (LECs) have made to various state commissions for waivers of intermodal number porting obligations

As you know, the FCC concluded in its *Telephone Number Portability Proceeding* (CC Dkt No. 95-116) that, by November 24, 2003, LECs generally had to port numbers to wireless carriers where the requesting wireless carrier's coverage area overlaps the rate center with which the customer's wireline number is associated. Wireline carriers that operate in areas outside the 100 largest Metropolitan Statistical Areas had to provide such number porting no later than May 24, 2004. The FCC granted certain LECs serving fewer than two percent of the nation's subscriber lines a limited waiver of the November 24, 2003 deadline until May 24, 2004.

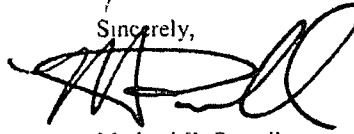
The Commission has emphasized on many occasions the important competitive and consumer benefits of number portability. The Chief of the FCC's Consumer & Governmental Affairs Bureau noted the benefits of wireline-to-wireless porting in his May 6, 2004, letter to you. The Small Business Administration's Office of Advocacy, however, has raised concerns about the possible economic burden that intermodal number porting may place on LECs that are small businesses, particularly those in rural areas. Those concerns may warrant flexibility in evaluating pending waiver requests by small LECs under Section 251(f)(2). Accordingly, and notwithstanding Chief Snowden's letter, I urge state commissions to consider the burdens on small businesses in addressing those waiver requests and to grant the requested relief if the state commissions deem it appropriate. I also request that you share with NARUC's membership this letter encouraging state commissioners to closely consider the concerns raised by small LECs petitioning for waivers.

I further urge state commissions, in the course of their deliberations on the pending waiver requests, to encourage parties to develop and submit data relating to the benefits of wireline-to-wireless number portability and the costs of complying with those

obligations, including upgrade costs to the network and routing costs for calls forwarded to carriers. Finally, I encourage parties to submit such information to the FCC for inclusion in our ongoing proceeding in CC Docket No. 95-116 regarding intermodal porting intervals.

Please do not hesitate to call if you would like to discuss these issues further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael K. Powell', with a stylized, cursive script.

Michael K. Powell

cc: Commissioner Robert Nelson, Chair, NARUC Telecommunications Committee
Commissioner Carl Wood, Chair, NARUC Consumer Affairs Committee
William Maher, Chief, Wireline Competition Bureau
John Muleta, Chief, Wireless Telecommunications Bureau
K. Dane Snowden, Chief, Consumer & Governmental Affairs Bureau

FOR IMMEDIATE RELEASE
June 22, 2004

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Martha Silver, OPASTCO
202/659-5990

**NTCA, OPASTCO LAUD POWELL LETTER URGING
STATE COMMISSIONS TO CONSIDER
BURDENS OF LOCAL NUMBER PORTABILITY**

Letter Does Not Affect Merits of the Associations' LNP Lawsuit

Associations See Consistent Message from FCC on LNP as Vital

WASHINGTON – In response to a letter from FCC Chairman Michael Powell to National Association of Regulatory Utility Commissioners (NARUC) President Stan Wise, the National Telecommunications Cooperative Association (NTCA) and the Organization for the Promotion and Advancement of Small Telecommunications Companies (OPASTCO) laud Powell for providing constructive guidance to state public utility commissions (PUCs) currently reviewing waiver requests for local number portability (LNP) “I urge state commissions to consider the burdens on small businesses in addressing those waiver requests and to grant the request relief if the states deem it appropriate,” Powell wrote

The letter is a direct result of negotiations that occurred between the FCC and the Small Business Administration (SBA). SBA had filed an intent to file an amicus curiae brief with the U.S. Court of Appeals for the District of Columbia on behalf of the LNP lawsuit filed by NTCA and OPASTCO SBA withdrew its intent to file only after the FCC agreed to make certain concessions, including the transmittal of this letter. The Associations filed their brief on May 25; oral arguments have been scheduled for Nov 18, 2004.

NTCA and OPASTCO are hopeful that the letter from the Chairman will result in a consistent policy and dampen the effect of contrary statements released by FCC bureaus and offices Regulatory clarity is important for both small and rural telecommunications companies and PUCs, who must make decisions in the best interest of the rural consumers they all serve.

Background

The associations' position is that they do not wish to impede LNP, but to ensure that the rules reflect the reality experienced by rural telecommunications companies and the consumers they

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NTCA and OPASTCO/2-2-2

serve The associations first filed a Petition for Partial Stay and Clarification with the FCC on Nov. 21, 2003. The associations sought a partial stay and clarification of the FCC's wireline-to-wireless local number portability (LNP) order and the November 24 implementation deadline with respect to small and mid-sized incumbent local exchange carriers (ILECs). The associations contended that the November 24 compliance deadline for all carriers operating within the top 100 MSAs is not reasonable for 2% carriers (those who individually serve less than 2% of the nation's access lines), since the FCC only provided carriers with the guidance November 10. In addition, the associations argued that the FCC failed to address many important issues, which must be resolved before the 2% carriers can effectively implement inter-modal LNP.

The associations then filed a petition for review of LNP with the U.S. Court of Appeals for the District of Columbia on Dec. 15, 2003. The petition was accepted and a brief filing is due May 25, 2004. Oral arguments have been scheduled for Nov. 18, 2004.

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About NTCA

The National Telecommunications Cooperative Association (NTCA) is a premier association representing more than 550 locally owned and controlled telecommunications cooperatives throughout rural and small-town America. NTCA provides its members with legislative, regulatory, and industry representation; meetings, publications, and educational programs; and an array of employee benefit programs. Visit us at <http://www.ntca.org>.

About OPASTCO

The Organization for the Promotion and Advancement of Small Telecommunications Companies (OPASTCO) represents more than 560 small, independently owned, local telecommunications companies serving primarily rural areas of the United States and Canada. OPASTCO membership includes both commercial companies and cooperatives, which range in size from fewer than 100 to 100,000 access lines, and collectively serve more than 3.5 million customers. OPASTCO represents rural telecommunications interests before federal regulatory bodies and Congress, provides publications, and holds two conventions annually in January and July of each year, addressing the needs of the small telecommunications industry. The association has an affiliate 501(c)(3) nonprofit, the Foundation for Rural Education and Development (FRED). Visit the OPASTCO Web site at www.opastco.org.